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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,311	10/16/2003	Ellen K. Richardson	1084-001US01	8848

7590 01/29/2007  
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EXAMINER
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PYO, MONICA M

ART UNIT	PAPER NUMBER
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2161

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/29/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/688,311	<b>Applicant(s)</b> RICHARDSON, ELLEN K.	
	<b>Examiner</b> Monica M. Pyo	<b>Art Unit</b> 2161	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 October 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 25-43 is/are pending in the application.
- 4a) Of the above claim(s) 25-39 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 40-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***DETAILED ACTION***

1. This communication is responsive to the Amendment filed 10/23/2006.
2. Claims 25-43 are currently pending in this application. Claims 1, 37 and 40 are independent claims. In the Amendment filed 10/26/2006, claims 1-24 are cancelled and claims 25-43 were newly added. This action is made Final.

***Specification***

3. The claim amendment received on 10/23/2006. The claim cancellation is acknowledged and therefore, the specification objections made in a prior Office Action are withdrawn.

***Claim Rejections - 35 USC § 112***

4. The claim amendment received on 10/23/2006. The claim cancellation is acknowledged and therefore, the 35 U.S.C. 112, 2<sup>nd</sup> paragraph rejections made in a prior Office Action are withdrawn.

***Claim Rejections - 35 USC § 101***

5. The claim amendment received on 10/23/2006. The claim cancellation is acknowledged and therefore, the 35 U.S.C. 101 rejections made in a prior Office Action are withdrawn.

***Election/Restrictions***

6. Newly submitted claims 25-36 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

- I. Claims 25-39, drawn to a method for identifying a table, excluding that identified table for generating a list of tables, determining and placing remaining tables, classified in class 707, subclass 101.

II. Claims 40-43, drawn to a system for a source and target database having tables, associating with user interaction and refreshes the target database based on the user selected criteria, classified in class 707, subclass 204.

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instance case, invention I has separate utility such as identifying a table, excluding that identified table for generating a list of tables, determining and placing remaining tables; invention II has separate utility such as a source and target database having tables, associating with user interaction and refreshes the target database based on the user selected criteria. Thus, the invention I has separate utility for a target database set-up/preparation before the separate utility of invention II begins.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 25-39 (Group I) withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2161

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 40-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,016,497 issued to Suver (hereinafter Suver) in view of U.S. Patent No. 6,029,178 issued to Martin (hereinafter Martin).

Regarding claim 40, Suver disclose a system comprising:

**A). a source database associated with a source computer having a plurality of source tables, wherein each source table has at least one of a plurality of key fields, as CUSTADDRESS and CUSTPHONES for source tables (Suver: col. 8, lns. 6-16; fig. 2);**

**B). a target database associated with a target computer having a plurality of target tables corresponding to the plurality of source tables, as a Customer table 601 corresponding to the source table data (Suver: col. 9, lns. 47-col. 10, lns. 8); and**

**D). with data from the source database and a corresponding one of the plurality of key fields, as to data about the customer 'Suver' (Suver: col. 8, lns. 6-26; col. 22, lns. 66-67; col. 23, lns. 1).**

Suver does not explicitly discloses:

**C). a user interface for accepting user selected criteria,**

**D). wherein the source computer and the target computer refresh the target database.**

However, Martin discloses:

**C). a user interface for accepting user selected criteria, as a graphical user interface (Martin: col. 10, lns. 48-61; col. 12, lns. 53-65);**

**D). wherein the source computer and the target computer refresh the target database; based on the user selected criteria,** as to refreshing target tables and a user selection from databases (Martin: col. 12, lns. 53-65; col. 23, lns. 46-52; col. 24, lns. 1-14)

It would have been obvious to a person with ordinary skill in the art at the time of invention to apply the Martin's data movement method in a relational database in the Suver's relational database management system. Skilled artisan would have been motivated to combine the Martin's teaching of database structure environment in the Suver's teaching of relational database management system to utilize the database refreshing and the user interface for creating and storing changed data (Martin: col. 4, lns. 43-53).

Regarding claim 41, Suver and Martin disclose the system wherein the user selected criteria comprises at least one of a material number and a date range (Martin: col. 12, lns. 47-65; fig. 5).

Regarding claim 42, Suver and Martin disclose the system where the target computer identifies configuration tables in the target database, excludes the identified configuration tables from tables listed in a data dictionary, and generates therefrom a list of remaining tables (Suver: col. 10, lns. 32-46; col. 14, lns. 61-col. 15, lns. 21) and (Martin: col. 24, lns. 21-27; col. 24, lns. 65-col. 25, lns. 21).

Regarding claim 43, Suver and Martin disclose the system wherein the source computer receives the list of remaining tables, determines whether any of the tables in the source database

on the list of remaining tables contain data, and places the tables that contain data on a list of populated tables (Suver: col. 14, lns. 61-col. 15, lns.21) and (Martin: col. 24, lns. 28-63).

***Response to Arguments***

9. Applicant's arguments with respect to claims 1-24 are rendered moot since these claims are canceled.

10. Applicant's arguments with respect to claims 40-43 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica M. Pyo whose telephone number is 571-272-8192. The examiner can normally be reached on Mon-Fri 6:30 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Monica M Pyo  
Examiner  
Art Unit 2161

mp  
1/20/2007

*Christine P. DeKoven*  
*Primary Examiner*